



General Assembly

February Session, 2010

Raised Bill No. 5204

LCO No. 908

00908_____LAB

Referred to Committee on Labor and Public Employees

Introduced by:
(LAB)

***AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE JOINT
ENFORCEMENT COMMISSION ON EMPLOYEE MISCLASSIFICATION.***

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Section 31-57h of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2010*):

3 (a) There is established a joint enforcement commission on
4 employee misclassification. The commission shall consist of the Labor
5 Commissioner, the Commissioner of Revenue Services, the
6 chairperson of the Workers' Compensation Commission, the Attorney
7 General and the Chief State's Attorney, or their designees.

8 (b) The joint enforcement commission on employee misclassification
9 shall meet not less than four times each year. The task force shall
10 review the problem of employee misclassification by employers for the
11 purposes of avoiding their obligations under state and federal labor,
12 employment and tax laws. The commission shall coordinate the civil
13 prosecution of violations of state and federal laws as a result of
14 employee misclassification and shall report any suspected violation of
15 state criminal statutes to the Chief State's Attorney or the State's

16 Attorney serving the district in which the violation is alleged to have
17 occurred.

18 (c) On or before February 1, 2010, and annually thereafter, the
19 commission shall report, in accordance with section 11-4a, to the
20 Governor and the joint standing committee of the General Assembly
21 having cognizance of matters relating to labor. The report shall
22 summarize the commission's actions for the preceding calendar year
23 and include any recommendations for administrative or legislative
24 action.

25 (d) On or after February 1, 2010, the joint standing committee of the
26 General Assembly having cognizance of matters relating to labor shall
27 submit legislation to implement the commission's recommendations
28 for legislative action submitted pursuant to subsection (c) of this
29 section.

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| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | October 1, 2010 | 31-57h |

Statement of Purpose:

To implement the recommendations of the joint enforcement commission on employee misclassification.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]